

SB

177

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

BILL NO. SB 177

Revision Date/Time (Note if correction) _____ Dept. Affected _____
 Title BAC level for DWI BRU Alaska Court System
 Component Trial Courts
 Sponsor Senator Ward
 Requester Senate Judiciary Component No. 768

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services	67.9	67.9	67.9	67.9	67.9	67.9
Travel						
Contractual	6.2	6.2	6.2	6.2	6.2	6.2
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	74.1	74.1	74.1	74.1	74.1	74.1

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	74.1	74.1	74.1	74.1	74.1	74.1
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	74.1	74.1	74.1	74.1	74.1	74.1

Estimate of any current year (FY2001) cost: 0.0

POSITIONS

Full-time						
Part-time	2	2	2	2	2	2
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Senate Bill 177 lowers the BAC necessary for a first offense DWI violation under 28.35.030 from .1 to .08. The bill also creates the crime of habitual driving while intoxicated. Under this new crime, a person previously convicted of a DWI can be subsequently convicted with a BAC level of .04. National studies show that a reduction from .1 to .08 typically results in a 10% increase in DWI filings. Based on that assumption, the court system would see an additional 500 misdemeanor filings a year and an additional 28 felony filings a year. This note reflects the additional judicial and jury costs associated with those increases. This note does not reflect any additional costs associated with habitual driving while intoxicated.

Although there are likely to be additional cases filed because of the .04 provisions contained in the offense of habitual driving while intoxicated, the extent of the increase is too speculative to support a fiscal note.

Prepared by: Douglas Wooliver
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 Agency: Alaska Court System

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 Date/Time 4/24/01 9:30 a.m.
 Date _____

For distribution information, call the Governor's Legislative Office

Alaska Court System
 Fiscal Note Calculations for SB 177
 4/24/01

	FY02	FY03	FY04	FY05	FY06
<u>Superior Court:</u>					
50 Jurors 1.0 Days for Selection	1,250	1,250	1,250	1,250	1,250
14 Jurors for 1.5 Days of Court	525	525	525	525	525
12 Jurors for .5 Days of Deliberation	150	150	150	150	150
Deliberation Meal \$11/12 jurors + bailiff	143	143	143	143	143
Total per Superior Court Trial	2,068	2,068	2,068	2,068	2,068
Proposed # Superior Court Trials	3	3	3	3	3
Estimated Cost of Superior Court Trials	6,204	6,204	6,204	6,204	6,204
<u>District Court:</u>					
District Court Judge (5 Months) PPT	50,419	50,419	50,419	50,419	50,419
In-Court Clerk (5 Months) PPT	17,499	17,499	17,499	17,499	17,499
	67,918	67,918	67,918	67,918	67,918
Fiscal Note for 500 Misdemeanors + 3 Felony Trials	74,122	74,122	74,122	74,122	74,122



SENATOR JERRY WARD
ALASKA STATE LEGISLATURE

SB 177 SPONSOR STATEMENT

NO SECOND CHANCE

Operating a motorized vehicle under the influence of alcohol is a major problem in Alaska and can no longer be tolerated. Alaska ranks No. 5 in the nation for alcohol related incidences and first in the minds of its citizens. This legislation reduces the amount of alcohol a person can have in their blood while operating a motorized vehicle. SB 177 lowers the standard of the blood alcohol content (BAC) from .10 to .08 and substantially increases fines for first time offenders to \$1250. Significant research by the National Highway Traffic Safety Administration has shown that drivers are substantially impaired at .08 blood alcohol content and that by lowering the blood alcohol content level to .08 the number of fatal drunk-driving accidents does decrease.

SB 177 goes a step further and lowers the legal limit of blood alcohol content to .04 for those with one prior DWI conviction. Those convicted of a second offence will lose their driving privileges for life and pay higher fines. There will be no second chance. Basically this is a zero tolerance law for convicted drunk drivers making it illegal for them to drive after drinking one drink.

Drunk drivers have for years heard the warnings and have ignored them. We can no longer tolerate the loss of life. It is time that drunk drivers are held accountable and take responsibility for their actions.



Mothers Against Drunk Driving • Juneau Chapter

211 Fourth St. Suite 102 • Juneau, AK 99801

April 18, 2001

MADD thanks Senator Ward for sponsoring Senate Bill 177, "An Act relating to driving while intoxicated and to presumptions arising from the amount of alcohol in a person's breath or blood; and providing for an effective date."

MADD advocates implementation of administrative drivers license revocation or suspension laws for drivers whose BAC exceeds the legal limit defined by law.

MADD advocates a two-track system of penalties applied in both the administrative and criminal justice systems. Designed to reduce impaired driving by repeat offenders and deter those who have not been detected, the system would administer progressively more severe sanctions to deter offenders who have not been detected and reduce recidivism of those who have been detected."

According to a study backed by MADD done in Maine where the reduction of drunk driving occurred when the state changed their law to .05 BAC for repeat offenders. An offender in Maine loses their license for one year the first time and ten years thereafter. Automatic 2 year suspension for breathalyzer refusal.

1. Maine's repeat drunk driving offenses went down 25%.
2. Maine's fatally injured repeat drivers with .05 BAC+ went down 31%.
3. Maine's fatally injured repeat drivers with .15 BAC+ went down 35%.

MADD strongly supports Senate Bill 177 and urges this life-saving measure to become law.

Respectfully,

Cindy Cashen
MADD Juneau Chapter